

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22054-2020 (O&M)
Date of Decision:- 14.8.2020

Hari Om

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Dishant D. Tuteja, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has filed this petition seeking grant of regular bail in a case registered against him vide FIR No.370, dated 20.6.2019, under Sections 365, 377, 506, 511 IPC, Police Station Samalkha, District Panipat.
2. The allegations, in nutshell, are to the effect that the petitioner had kidnapped the complainant's son aged 12 years on 19.6.2019 and had taken him away in his vehicle to a canal and had attempted to commit unnatural offence with him.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and in fact when the complainant

and the victim stepped in the witness box they have absolutely resiled from their statements. Learned counsel in this regard has drawn the attention of this Court to the said statements annexed with this petition as Annexures P-3 and P-4.

4. Opposing the petition, learned State counsel has submitted that in view of the serious nature of allegation, no case for grant of bail is made out. It has however, been not disputed that the complainant and victim have resiled when they were examined before the trial Court. It has also been informed that the petitioner has been behind bars since the last more than one year.
5. Having regard to the facts and circumstances of the case especially the fact that the petitioner has been behind bars since the last more than one year and that the complainant as well as the victim have both resiled from their statements, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

August 14, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No